



**CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No.: 7675  
First Named Inventor: Keith Boland  
Express Mail Label No.:  
Total Pages: 2

This is a request for a [x] continuation or [ ] divisional application under 37 CFR 1.53(d). (continued prosecution application (CPA)) of prior application number 09/086,627, filed on May 29, 1998, entitled METHOD AND APPARATUS FOR ALLOCATING NETWORK RESOURCES AND CHANGING THE ALLOCATION BASED ON DYNAMIC WORKLOAD CHANGES.

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national state of an international application in compliance with 35 USC 371.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 USC 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 USC 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 USC 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1. [x] Enter the unentered amendment previously filed on January 23, 2001 under 37 CFR 1.116 in the prior nonprovisional application.  
02/27/2001 SSESHE1 00000054 09086627
2. [ ] A preliminary amendment is enclosed  
01 FC:131 710.00 OP  
02 FC:102 80.00 OP
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. [ ] DELETE the following inventor(s) named in the prior nonprovisional application:
  - b. [ ] The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. [ ] A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a. [ ] PTO-1449

b. ☐ Copies of IDS Citations

	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Total Claims	13	MINUS 20	0	x \$18 =	\$0.00
Independent Claims	4	MINUS 3	1	x \$80 =	80.00
Basic Application Fee					710.00
If multiple dependent claims are presented, add \$260.00					
Total Application Fee					790.00
Subtract 1/2 if small entity					
TOTAL APPLICATION FEE DUE					\$790.00
AMOUNT TO BE CHARGED TO CREDIT CARD (FORM ATTACHED)					790.00

6. Small entity status:
- a. ☐ A small entity statement is enclosed.
  - b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
  - c. ☐ Is no longer claimed
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 07-1337;
- a. ☒ Fees required under 37 CFR 1.16.
  - b. ☐ Fees required under 37 CFR 1.17.

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

Respectfully submitted,

LOWE HAUPTMAN GILMAN & BERNER, LLP



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**Date:** February 23, 2001

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